

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

ROBERT J. PETRO, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:21-cv-02474-JPH-KMB
	)	
SHELBYVILLE POLICE DEPARTMENT,	)	
BART SMITH police officer,	)	
CHARLES CURRY police officer,	)	
	)	
Defendants.	)	

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Magistrate Judge Kellie M. Barr has entered a Report and Recommendation, dkt. 67, recommending that "Mr. Petro's claims in this action be dismissed without prejudice for failure to prosecute." The parties have had the opportunity to object but have not done so. See Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1). The Court has considered and now **ADOPTS** the Report and Recommendation. Dkt. [67]. Mr. Petro's complaint is **DISMISSED without prejudice**.

All pending motions, if any, are now **DENIED as moot** and all previously ordered dates relating to discovery, filings, schedules, conferences, and trial, if any, are **VACATED**.

Final judgment, consistent with this Order and the Screening Order, dkt. 16, will issue by separate entry.

**SO ORDERED.**

Date: 6/20/2023



James Patrick Hanlon  
United States District Judge  
Southern District of Indiana

Distribution:

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All electronically registered counsel